

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DISTRICT**

KATHY S. HALE/CAMACHO,

Plaintiff,

v.

No. 2:19-cv-02519-MSN-dkv

STATE OF TENNESSEE DEPARTMENT OF
SAFETY AND HOMELAND SECURITY;
THE STATE OF TENNESSEE;
DEPARTMENT OF MOTOR VEHICLE;
SHELBY COUNTY COURT; JUDGE
JOHN DOE #1; COLLIERVILLE POLICE;
JOHN DOE #1; CLAY & WRIGHT INS.;
KATHY & MICHAEL UMBERGER,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION
FOR *SUA SPONTE* DISMISSAL**

Before the Court is the Magistrate Judge's Report and Recommendation for *Sua Sponte* Dismissal submitted August 30, 2019 ("report"). (ECF No. 7.) The Report recommends that Plaintiff's *pro se* Complaint for Rule 5.1 Constitutional Challenge to a Statute (EFC No. 1) ("Complaint") be dismissed *sua sponte* pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). (ECF No. 7 at PageID 24.) For the reasons set forth below, the Court **ADOPTS** the Report, and Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**.

LEGAL STANDARD

Congress enacted 28 U.S.C. § 636 to relieve the burden on the federal judiciary by permitting the assignment of district court duties to magistrate judges. *See United States v. Curtis*, 237 F.3d 598, 602 (6th Cir. 2001) (citing *Gomez v. United States*, 490 U.S. 858, 869–70 (1989));

see also Baker v. Peterson, 67 Fed. Appx. 308, 310 (6th Cir. 2003). For dispositive matters, “[t]he district judge must determine *de novo* any part of the magistrate judge’s disposition that has been properly objected to.” *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. §636(b)(1). After reviewing the evidence, the court is free to accept, reject, or modify the magistrate judge’s proposed findings or recommendations. 28 U.S.C. § 636(b)(1). The district court is not required to review—under a *de novo* or any other standard—those aspects of the report and recommendation to which no objection is made. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). The district court should adopt the magistrate judge’s findings and rulings to which no specific objection is filed. *See id.* at 151.

DISCUSSION

The deadline to object to the Report has passed, and Plaintiff has filed no objections. The Court has reviewed the Report for clear error and finds none. For the foregoing reasons, the Court **ADOPTS** the Report. Accordingly, Plaintiff’s Complaint is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED, this 15th day of October, 2019.

s/ Mark S. Norris

MARK S. NORRIS

UNITED STATES DISTRICT JUDGE